

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)		
UNITED STATES	)		
	)		
v.	)	Crim. No.	08-CR-10223-PBS
	)		09-CR-10262-PBS
ALBERT GONZALEZ,	)		09-CR-10382-DPW
	)		
Defendant.	)		
_____	)		

MOTION FOR EXTENSION OF TIME TO RESPOND TO  
PETITION UNDER 28 U.S.C. § 2255

The United States, by its undersigned counsel, moves this Court for an extension of time in which to respond to the Petition Under Section 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody filed by Albert Gonzalez (the “Petition”).

Undersigned government counsel filed today the United States’ Motion for Order Regarding Waiver of Attorney-Client Privilege (the “Motion”). For reasons set forth in the Motion, Albert Gonzalez has put at issue correspondence, records, and information formerly protected by his attorney-client privilege and thus waived that privilege. Accordingly, the United States must have access to these formerly privileged matters before responding to the Petition.

Wherefore, the government seeks an extension of time and requests that it be permitted to file its response to Gonzalez's Petition three weeks after the Court's ruling on the United States' Motion for Order Regarding Waiver of Attorney/Client Privilege. The extension of time is necessary to enable the attorney for the government to review and discuss with Gonzalez's former counsel such previously privilege information and materials as the Court permits, to prepare and have executed such affidavits as may be appropriate, and to file the government's response.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

Dated: April 8, 2011

By: /s/ Stephen P. Heymann  
STEPHEN P. HEYMANN  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that a paper copy will be sent to:

Albert Gonzalez, No. 25702-050  
FCI Milan  
P.O. Box 1000  
Milan, Michigan 48160

Dated: April 8, 2011

/s/ Stephen P. Heymann  
STEPHEN P. HEYMANN